

REMARKS

This Amendment and Response is provided in response to the Office action mailed April 19, 2004. An in-person interview was conducted with the Examiner on April 30, 2004, to discuss the Office action and the cited prior art. The Applicants and the Applicants' representative thank the Examiner for the courtesy extended in conducting the interview.

At the conclusion of the interview with the Examiner, the Examiner completed the Interview Summary form and identified the claims, prior art, and discussions that were the substance of the Interview. As discussed with the Examiner, Applicants' representative agrees that the discussion included in the Summary accurately identifies the substance of the Interview.

Claims 1-46 are rejected under 35 U.S.C. 102(b) as being anticipated by Simmons (U.S. 2,575,980) as set forth in the previous Office action. Reconsideration of this rejection is respectfully requested.

Independent claim 1, as amended, is directed to a cutting chain comprising a plurality of cutter links where at least one cutter link comprises a pair of side plates, a support member bridging the side plates, at least one cutting member, and a drag plate. The support member has an arcuate support surface with a convex outer surface. The at least one cutting member is attached to the arcuate support surface of the support member. The drag plate is attached to the outer surface of the support member.

Independent claim 11, as amended, is directed to a cutter link for a cutter chain and comprises a pair of side plates, an arcuate support member bridging the side plates, at least one cutting member, and a drag plate. The arcuate support member has a convex outer surface. The at least one cutting member is attached to the support member. The drag plate is attached to the outer surface of the support member.

Independent claim 34, as amended, is directed to a cutting chain comprising a plurality of cutter links where at least one cutter link comprises a pair of side plates, a support member bridging the side plates, and a drag plate. The support member has an arcuate support

surface with a convex outer surface. The support member is characterized by an unobstructed arcuate interior passage that extends substantially parallel to the direction of travel of the cutting chain. The drag plate is attached to the outer surface of the support member.

Independent claim 41, as amended, is directed to a cutting chain comprising a plurality of cutter links interconnected by strap links to form an endless chain. At least one cutter link comprises a pair of side plates, a support member bridging the side plates, a drag plate, and a pair of fastening members. The support member has a convex outer surface. The drag plate is supported on the outer surface of the support member and is characterized as having depending side portions which shield the fastening members. The pair of fastening members are disposed adjacent to a drag plate and adapted to connect each side plate to a strap link.

As discussed with the Examiner, the Simmons reference shows a cutting element with a rotary lock 18. The lock 18, which the Examiner noted may function to drag cuttings, is located on the underside of the cutting block lug 11 that supports the cutting element. The lock is not however, on a convex outer surface of the support member (the block lug) as is required by Applicants' claims. Each of Applicants' claim 1, 11, 34 and 41 require the drag plate be attached to the outer surface of the support member. Claims 1, 11, 34, and 41 are not, therefore, anticipated by Simmons and the § 102 rejection should be withdrawn.

Claims 2-10 depend from claim 1 and include all of its features. Claims 12-21 depend from claim 11 and include all of its features. Claims 35-40 depend from claim 34 and include all of its features. Claims 42-46 depend from claim 41 and include all of its features. Thus, the dependent claims likewise are allowable over Simmons, and the § 102(b) rejection of claims 2-10, 12-21, 35-40, and 42-46 must be withdrawn.

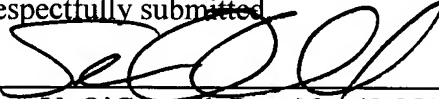
Independent claim 22 is directed to a cutting chain comprising a plurality of cutter links forming an endless chain. Claim 22 requires that at least one cutter link comprise a plurality of cutting members supported by an arcuate support surface. Independent claim 28 is directed to a cutter link for a cutter chain. Like claim 22, claim 28 requires that the cutter link comprise a plurality of cutting members disposed on the arcuate support surface.

As previously discussed, Simmons shows a cutting link with a lock for securing the cutting element. Simmons also show that the cutting element can be placed in any one of a plurality of positions on the lug (See Fig. 2). Simmons does not, however, show that a plurality of cutting elements could be used on any given link, as required by Applicants' claims 22 and 28. Although the Examiner has maintained the 102 rejection of claims 22 and 28 without reference to Applicants' remarks in the first Response, and made the rejection final, Applicants respectfully disagree with the characterization of Simmons and request reconsideration. The 102 rejection of claims 22 and 28 should be withdrawn.

Certain amendments have been made in order to more properly claim the invention which Applicants are entitled to. The amendments to the claims contained herein contain no new matter. It is submitted that the claims are allowable and a Notice of Allowance courteously is solicited. Should the Examiner have any questions or comments regarding this amendment or the application, Applicants' attorney would welcome the opportunity to discuss the same with the Examiner.

This is intended to be a complete response to the Office Action mailed April 19, 2004.

Respectfully submitted



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